

Attorney's Docket No.: 42390.P12010

MP #  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

Sager et al. )

Examiner : Not Yet Assigned

Application No.: 10/039,588 )

Art Unit: 2151

Filed: December 31, 2001 )

For: STOPPING REPLAY TORNADOES )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on April 5, 2002  
Date of Deposit  
Deborah A. McGovern  
Name of Person Mailing Correspondence  
DMcGovern 4/5/02  
Signature Date

Assistant Commissioner for Patents  
Box: Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date  
Granted) mailed February 7, 2002, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to  
the above-referenced patent application;
- (2) a Fee Transmittal for FYI 2002;
- (3) a check in the amount of \$130.00 in payment of the surcharge of 37

C.F.R. § 1.16(e); and

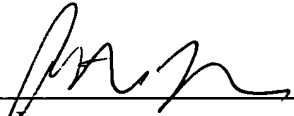
- (4) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

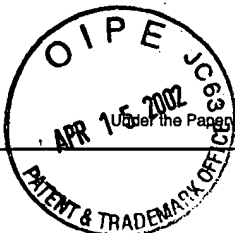
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 4/5/02

  
\_\_\_\_\_  
Peter Lam  
Reg. No. 44,855

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300



## FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known:

Application No. 10/039,588  
Filing Date December 31, 2001  
First Named Inventor David J. Sager  
Group Art Unit 2151  
Examiner Name Not Yet Assigned  
Attorney Docket No. 42390.P12010

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
Deposit Account Name \_\_\_\_\_

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check  
\_\_\_\_\_ Money Order  
\_\_\_\_\_ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description                    | Fee Paid |
|--------------|----------|--------------|----------|------------------------------------|----------|
| Code         | Fee (\$) | Code         | Fee (\$) |                                    |          |
| 101          | 740      | 201          | 370      | Utility application filing fee     | _____    |
| 106          | 330      | 206          | 165      | Design application filing fee      | _____    |
| 107          | 510      | 207          | 255      | Plant filing fee                   | _____    |
| 108          | 740      | 208          | 370      | Reissue filing fee                 | _____    |
| 114          | 160      | 214          | 80       | Provisional application filing fee | _____    |

SUBTOTAL (1) \$ 0

#### 2. EXTRA CLAIM FEES

|                    |       |          | Extra Claims | Fee from below | Fee Paid |
|--------------------|-------|----------|--------------|----------------|----------|
| Total Claims       | _____ | - 20** = | _____        | X _____        | = _____  |
| Independent Claims | _____ | - 3** =  | _____        | X _____        | = _____  |
| Multiple Dependent | _____ |          |              | _____          | = _____  |

\*\*Or number previously paid, if greater; For Reissues, see below.

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Code         | Fee (\$) | Code         | Fee (\$) |   |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                    |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                         |
| 104          | 280      | 204          | 140      | Multiple dependent claim, if not paid                     |
| 109          | 84       | 209          | 42       | **Reissue independent claims over original patent         |
| 110          | 18       | 210          | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 0

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| <u>Larg Entity</u> |                 | <u>Small Entity</u> |                 | <u>Fee Descripti n</u>   | <u>F e Paid</u> |
|--------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u>    | <u>Fee (\$)</u> | <u>F e Code</u>     | <u>Fee (\$)</u> |  |                 |
| 105                | 130             | 205                 | 65              | Surcharge - late filing fee or oath  | \$130.00        |
| 127                | 50              | 227                 | 25              | Surcharge - late provisional filing fee or cover sheet                     |                 |
| 139                | 130             | 139                 | 130             | Non-English specification  |                 |
| 147                | 2,520           | 147                 | 2,520           | For filing a request for ex parte reexamination                            |                 |
| 099                | 8,800           | 099                 | 8,800           | Request for inter parties reexamination                                    |                 |
| 112                | 920*            | 112                 | 920*            | Requesting publication of SIR prior to Examiner action                     |                 |
| 113                | 1,840*          | 113                 | 1,840*          | Requesting publication of SIR after Examiner action                        |                 |
| 115                | 110             | 215                 | 55              | Extension for reply within first month                                     |                 |
| 116                | 400             | 216                 | 200             | Extension for reply within second month                                    |                 |
| 117                | 920             | 217                 | 460             | Extension for reply within third month                                     |                 |
| 118                | 1,440           | 218                 | 720             | Extension for reply within fourth month                                    |                 |
| 128                | 1,960           | 228                 | 980             | Extension for reply within fifth month                                     |                 |
| 119                | 320             | 219                 | 160             | Notice of Appeal   |                 |
| 120                | 320             | 220                 | 160             | Filing a brief in support of an appeal                                     |                 |
| 121                | 280             | 221                 | 140             | Request for oral hearing   |                 |
| 138                | 1,510           | 138                 | 1,510           | Petition to institute a public use proceeding                              |                 |
| 140                | 110             | 240                 | 55              | Petition to revive - unavoidable   |                 |
| 141                | 1,280           | 241                 | 640             | Petition to revive - unintentional   |                 |
| 142                | 1,280           | 242                 | 640             | Utility issue fee (or reissue)   |                 |
| 143                | 460             | 243                 | 230             | Design issue fee   |                 |
| 144                | 620             | 244                 | 310             | Plant issue fee  |                 |
| 122                | 130             | 122                 | 130             | Petitions to the Commissioner  |                 |
| 123                | 50              | 123                 | 50              | Processing fee under 37 CFR 1.17(q)  |                 |
| 126                | 180             | 126                 | 180             | Submission of Information Disclosure Stmt                                  |                 |
| 581                | 40              | 581                 | 40              | Recording each patent assignment per property (times number of properties) |                 |
| 146                | 740             | 246                 | 370             | For filing a submission after final rejection (see 37 CFR 1.129(a))        |                 |
| 148                | 110             | 248                 | 55              | Statutory Disclaimer   |                 |
| 149                | 740             | 249                 | 370             | For each additional invention to be examined (see 37 CFR 1.129(b))         |                 |
| 179                | 740             | 279                 | 370             | Request for Continued Examination (RCE)                                    |                 |
| 169                | 900             | 169                 | 900             | Request for expedited examination of a design application                  |                 |
| 195                | 300             | 195                 | 300             | Publication fee for early, voluntary, or normal pub.                       |                 |
| 196                | 300             | 196                 | 300             | Publication fee for republication  |                 |
| 194                | 130             | 194                 | 130             | Request for voluntary publication or republication                         |                 |
| 098                | 130             | 098                 | 130             | Processing fee under 37 CFR 1.17(i) (except provisionals)                  |                 |
| 091                | 1,280           | 091                 | 1,280           | Acceptance of unintentionally delayed claim for priority                   |                 |

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 130.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Peter LamSignature:  Date: 4/5/2002R g. Numb r: 44,855 T l ph n Numb r: 408-720-8300



APR 15 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/039,588         | 12/31/2001          | David J. Sager        | 42390.P12010           |

CONFIRMATION NO. 2211

## FORMALITIES LETTER



\*OC00000007440571\*

Peter Lam  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

Date Mailed: 02/07/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/17/2002 BABRAHA1 00000066 10039588

01 FC:105

130.00 OP